

# THE NATIONAL REGISTER.

No. 25. VOL. IV.]

WASHINGTON CITY, DECEMBER 20, 1817.

[Vol. II. FOR 1817]

PUBLISHED EVERY SATURDAY, BY JOEL K. MEAD, AT FIVE DOLLARS PER ANNUM.

## NAVAL DEPOT.

*To the editor of the National Register,*

SIR—Being equally interested with the rest of my fellow citizens, in the honor, safety and welfare of our common country, I have regarded the subject of a NAVAL DEPOT with the most lively solicitude. Our marine engines, equipments and means as weapons offensive and defensive, are important in themselves, but much more important as they may be rendered efficient and manageable, disposable and beneficial from a good position; or comparatively useless and inefficient from disadvantageous location. Such confidence had Archimedes in the combination and application of the mechanical powers, that he only wanted a proper place *for his lever* to enable him to poise the globe. Admitting the efficiency of our naval means and machinery, let us dispassionately inquire where they may be most advantageously concentrated for the promotion of the public good. To make choice of an unfavorable site, from self interest, or sectional preference, I deprecate from the recesses of my heart. It is unworthy of any son of the republic to indulge in such partiality—for it were as reasonable to deprive a lever of its fulcrum and still expect its full powers as to place our naval energies in an eccentric or unsuitable position, and yet look for the most favorable results. We have all read of a celebrated army of antiquity, which perished in the great desert overwhelmed with waves of sand. Another recently sunk beneath polar frosts and snows. Yet nobody doubts the capability of either force; and their very enemies have generously deplored the fate of gallant men sent to contend against the elements: but we have extended our prefatory remarks too far, let us fairly and promptly enter on a discussion of the question.

It is now nearly a year since the reports of the navy commissioners were published in the National Register, (see vol. 3, page 87.) I have lately given them another perusal; and I am pleased to find that although those able practical officers do not *precisely* agree on any specific plan or particular spot, they yet afford a choice of many eligible sites on the waters of the Chesapeake. It is reported that the President has since despatched generals SWIFT and BERNARD and col. M'RA, (eminent engineers of the army) with Captains SINCLAIR and ELLIOTT of the navy, to re-examine all the points embraced in the navy commissioners' reports, &c. &c. &c. and to return their opinion on the same. From such profes-

sional skill we may justly anticipate a masterly and decisive report. For it is to be hoped and expected that these officers have been authorized and required to inspect every conspicuous place along the waters of the Chesapeake, from Annapolis to Norfolk, and the middle ground, &c. inclusive—taking a view of every thing in their range. It is highly probable that they may select a situation entirely unobjectionable. I hope too that the result of their surveys and investigation will soon be submitted to the public, that Congress may, without delay, legislate on the subject, with a full possession of all the facts before them. Peace is certainly the proper season to prepare for war; and as we cannot always predict the exact duration of the former, it is an imperious duty to waste as little time as possible in making ready for the latter. On this account I sincerely regret that so much procrastination which is well termed the "thief of time" has already taken place. But much as I am concerned at this delay, I would prefer waiting still longer for more accurate information, to the premature adoption of a preposterous plan, or site, for sake of despatch and decision. "He" says the Spanish proverb "who decides in *haste* will have time to repent at leisure." The multitude of fine sites on the Chesapeake naturally occasion a difference of opinion; but ought we therefore to transfer our naval arm to a remote or insular scene, more detached, and less temperate in point of climate, than any site on the Chesapeake Bay? Surely not: that would be like making folly a sovereign arbiter in the amicable disputations of wisdom. I wish prosperity and safety to Boston and Rhode Island, like other parts of the Union they are entitled to protection; but when we are selecting the *best* place for a naval depot and dry dock, we must choose it with reference to the general good of the *Union*—Neither can it in the contemplation of this question be expected of human liberality, even if it were politic so to do, that the national legislature should altogether lose sight of the different principles avowed and opposite conduct pursued by the citizens and public authorities during the late war in different sections of the Union. In the course of those conflicts which must be expected hereafter to arise for oceanic supremacy between us and other nations, our great naval depots will assuredly be the primary objects of attack; and beyond the intrinsic strength of their positions; they must also rely on the patriotic spirit of the adjacent population which can alone be organized and put in motion by means of a friendly and co-operating dis-

position in the local authorities—It is for the wisdom of congress to decide how far in such emergencies those might be safely depended upon, who deemed it not compatible with morality and religion to rejoice at our naval successes and who arrogated the right to disobey at pleasure a call by the constitutional "commander in chief" for the services of those who have been justly denominated the natural defenders of the country. The question then is, *which, under all circumstances is the most eligible place for a naval rendezvous and depot?*

The extent of our line of coast, the seat of government, the interests to be protected, the extent and accessibility of our leading waters, must be taken into consideration in deciding the question. *Nature, indeed, has scarcely left "a-loop to hang a doubt upon."* To place our reliance on means of offence or defence, situated at the extremity of our line of sea-coast, or beyond it, would seem little wiser than the practice attributed by an entertaining author to the first Dutch settlers, who preferred building a town at Communipaw, to founding it on the terra firma of Manhattan island; because, in the former place, they could drive piles into the marsh; and the solidity of the latter, would not admit of that favorite foundation! Without stretching the line of comparison beyond its just limits, I must declare, that between Galvezton and St. Mary's, the Chesapeake or Rhode Island, Boston or Passamaquoddy, it is an easy matter to choose a-right; for it seems impossible for common sense to go astray. Nature and reason indicate the *Chesapeake* as the most proper situation for a Naval Depot. The central position of this bay, and the length it penetrates the bosom of the country—the immense commercial, political, and agricultural interests connected with it, and the temperate clime in which it runs its course, *distinguish it on the map at first sight.* The events of the late war also, too likely to be long remembered by the inhabitants of its shores, are so fresh in our recollection, as to make us deprecate a recurrence of them. Such disasters were the natural consequence of the unprotected state of the bay which gave the enemy so many facilities of harassing the circumjacent settlements. Had the ready means of naval protection then existed, even on any of the tributary streams of the Chesapeake, instead of a miserable flotilla of row-boats, (the pursuit of which served only to disclose the defenceless approaches to the Capitol, and ultimately to cover and conceal an enterprise projected for its destruction) the British marauders would have had fewer trophies to boast of. Their Vandal legions could never

have marched to the metropolis of the Union. But it is useless to argue, because every one must, at a glance, perceive the prodigious importance of preserving, during a state of hostilities the uninterrupted enjoyment of the waters of the Chesapeake. They constitute emphatically the hook and eye that connect the two great sections of the continent. The occupation of them by an enemy, which never stops as to means of warfare, would enable it again, and perhaps with more success, to scatter its atrocious proclamations in the south, whilst, on the other hand, it would cherish and foment local fears and other base passions in other parts of the country. The loss of the Chesapeake, would cut off the great high road of ready communication and assistance between the north and the south and by being thus rendered occasionally familiar with a state of practical separation, the public mind would gradually become impatient of an union, resting on a foundation so precarious, and thus be finally prepared for permanent political disunion. While we enjoy then the opportunity of preventing still greater calamity and disgrace, than that which we experienced during the last war, from the defenceless state of the Chesapeake, it would be unpardonably criminal to neglect it.

Although the commissioners, as we observed above, do not unanimously agree in recommending any one spot exclusively, yet they have so liberally borne testimony to the advantages of each, that we should be somewhat puzzled to decide which should have the preference. For instance, the objections to *Norfolk*, from the difficulties of getting to sea, seem in a measure obviated by the reported certainty and ease with which it can be defended, while further inquiry shows a greater depth of water in the channel than was formerly imagined. The Dutch fleets had greater obstacles to overcome in approaching their naval rendezvous, than the largest vessels would meet in their approach to Norfolk. But the advantages of Norfolk have been so strongly and fully described by one of the commissioners, that any one would be persuaded to pronounce it a suitable position.

*York River* appears likewise to have the requisite advantages for the establishment of a naval depot, even in a higher degree than Norfolk. If its defensibility by land is questioned, the objection is more than compensated by the depth of its channel. The practicability of defending it from naval assaults, and the readiness and safety with which the largest ships may at all times proceed to sea. Weighing its defects, which are few, with its advantages, which are unequivocal, (and clearly depicted in the report of commodore

Rodgers,) York river seems highly capable of becoming an important depot.

*St. Mary's River* seems to unite still more suffrages in its favor, if we except the objection made to the practicability of defending it by land, and even this defect may be much diminished by the advantages of the position itself and by the promptness with which the resources of defence may be attracted from Virginia, the District of Columbia and Baltimore. But the engineers we have mentioned, will be most competent to give an opinion on this point. Had the three naval commissioners visited this site, (and we regret that they did not,) it is very probable that their report in its favor might have been *unanimous*.

*Annapolis* too has its advocates, and not without strong reasons; for if the bar can be removed at the mouth of the Severn, and a new formation be easily prevented, we would (*ceteris paribus*) prefer it to any situation. Its vicinity to Washington, to which it is the natural seaport, and to Baltimore, united to the consideration that its fate would be there identified with that of the political capital of the state, in security, or in disaster, are seducing and powerful recommendations, to which may be added as a consideration of no little moment the excellence of the water and the proverbial salubrity of the place.

It would perhaps swell this article to an unreasonable size to insert extracts as we had intended from the letters of the respective commissioners. We must therefore content ourselves with comparing the opinions of commodores *Rodgers* and *Porter* respecting the *St. Mary's*, which really appears conclusive in behalf of its great advantages. Perhaps as we have above stated, if commodore Decatur had inspected the convenience and security offered by *St. Mary's*, the report had been *nem. con.* in its favor, as in the opinion that a naval depot *some where on the waters of the Chesapeake* would greatly promote the national interest and safety.

Commodore Rodgers in speaking of this place, says, "by some it is urged that this place, as respects salubrity of climate is preferable to Norfolk, or York. As a safe and commodious harbor, it is not excelled by any in the United States. At its entrance it is about three miles wide, and the water is 32 or 33 feet deep; for 3½ to 4 miles up its width gradually decreases, until you pass two projecting points at opposite sides, within which the depth at low water, is about 24 feet and the river from point to point about half a mile wide. From this place about two miles further up, the river is, by two or three projecting points, diminished to about 500 yards in width, presenting above those points a beautiful basin

in which there is near the entrance inside 20 or 21 feet at low water.—

"This river above where it is perfectly susceptible of defence against a naval force, presents in several respects, the most seducing reasons for its selection as a naval depot and rendezvous."

Commodore Porter says of *St. Mary's*, "In point of healthiness of situation, security from maritime attack, and (I am informed) from ice, excellence of harbor, and the easy egress and ingress, to and from an inner harbor, at all times, for ships of war drawing not more than 24½ feet of water; the advantages it offers by means of streams of water for labor-saving purposes, and its convenience to forests of fine timber, *St. Mary's* is, in my opinion, superior to any other place of which I have a knowledge on the Chesapeake for a naval depot."

It may be here suggested that a safe shelter near the mouth of Potomac would be of great importance to Baltimore, as it would afford a resting point to her numerous fast sailing privateers, which made such immense havoc during the last war on the commerce of the enemy, more, perhaps, than those from all the United States besides. Leaving the Patapsco with a northerly wind they would reach the Potomac in eight or ten hours. Thence they would run to sea with great ease, under cover of one night, aided by a strong northerly wind, as they often did even from above the mouth of Patuxent last war, eluding the vigilance or laughing at the efforts of the enemy who were wont to say they "whizzed by us like wild ducks."

It is to be regretted that the public mind has been so long indifferent, misled or divided on a subject so intimately connected with the interests and safety of this portion of the union—we need not be reminded of the provoking aggressions of a domineering enemy (in possession of the Chesapeake) during the whole of the late war "laying waste and devastating" its shores, nor is it necessary for a ghost to inform us, that the establishment of a naval depot on its waters is the only effectual way by which we can collect and keep in readiness the means of guarding against a similar vexation hereafter.

Had a central camp been provided in season between this city and Washington, as was suggested by some worthy and patriotic soldiers and citizens, whence an army could have marched on either with sufficient celerity, *Troy had not fallen!* and, it cannot be denied that *St. Mary's* as a naval rendezvous possesses eminent central advantages. A military force co-operating with a naval one from that point might be equally efficient in the defence of Norfolk, Washington or Baltimore.

However I am not a special pleader for *settling*

although pointing out the superior advantages of a particular site.—The navy is *national* property and no section, island or city has any exclusive right to its services.

#### CAUPOLICAN.

Baltimore 16th Dec. 1817.

#### AMELIA ISLAND—SOUTH AMERICAN PATRIOTS, &c.

A considerable sensation has apparently been excited by that part of the President's message which calls the attention of Congress to the late occupation of Amelia Island, by persons styling themselves Spanish patriots. The editor of one paper, the *Aurora*, has been particularly severe in his remarks on the interference of our government with the operations going forward in this quarter, considering it even as violating our neutrality, and ranging ourselves on the side of monarchical Spain, to the injury of the cause which her persecuted subjects are bravely struggling to establish, and burst those fetters which the injustice and tyranny of the peninsula has so inhumanly forged for them. To say that we are interested in the success of the patriot cause would but faintly pourtray our sentiments; we feel for it all that ardor, all that holy devotion which it merits; yet, although thus enthusiastic that victory may perch upon its banners, and carry it with exultation to the goal of its ambition, yet we are not so blind as to be insensible to the many faults which have marked its progress, or so unjust as to desire that its leaders should owe their success to acts of rapine, or a conduct which civilized nations must view with abhorrence.

Those editors who consider this interference of our government with Amelia Island as making *neutrality lean all on one side*, maintain that Aury and his band are acting under the authority of the patriots, and that their occupation of Amelia Island is intended to effect important results by giving facilities, of receiving the munitions of war, and sending reinforcements as well as arms and provisions to those parts of the continent where the patriot cause may most call for them.

We are willing to admit that the occupation of Amelia Island by the patriots might effect considerable benefits; but we are not so ready to allow that Aury and his band are linked with the patriot cause, or employed under its orders. We must not suffer our feelings to carry us too far;—facts must speak louder than professions, and what have we yet seen of the transactions of these people which should induce us to credit that they are acting under any instructions, except those which self interest may dictate? M<sup>r</sup>Gregor first landed on the Island, then deserted it, since then it has displayed nothing but a system of brigand-

age, such as might be supposed to follow from the motley group of which Aury's force is composed; "Americans, Irishmen, Englishmen and Frenchmen—*men of all nations*," as he himself styles them, and to which he might have added with propriety, men of all colors.

But if even it were proved to us, by unquestionable authority, that Aury was actually the agent of the Spanish patriots, we should, nevertheless, be equally opposed to his occupancy of Amelia Island under the system of freebooting and smuggling, which has been displayed in this section to the injury of the United States, if we are to credit one tenth part of what appears as authentic information in our public papers. It is not by the seizure of slave ships, or the sale of the captured negroes, that the cause of Spanish America is to be served or assisted in Amelia Island or the Floridas. Besides, although averse to slavery in any shape, we are not so fond of emancipation as to see it effected by cutting the throats of all the planters and whites of Georgia, whose proximity might render the thing not at all improbable under a well penned patriotic invitation from governor Aury. The interference of the government, therefore, strikes us to have been not only judicious, but as absolutely imperious, and that a contrary conduct would have shown a want of due precaution, and been subject to severe censure.—The affair is now before Congress, and the publication of the information held by the executive, we are convinced, will fully justify all the steps which have been taken, and even warrant others. Self preservation is the first duty of a nation and however well we may wish to see prosper the cause of any people struggling for their independence, we should not wish to see it accomplished at the sacrifice of our own rights, or the injury of any section of the Union.

While upon this subject it may not be irrelevant to express our opinion as regards that cause, which has so powerfully excited the sympathy of our nation. The struggles which the patriots of the South are making against their oppressors bears so great a similarity to that in which our fathers unsheathed their swords and fought their way to victory, that we are not surprised at the sentiment it has awakened in every bosom who knows and appreciates the blessings of liberty. We have said, however, that with all our enthusiasm for the success of the patriot arms, that we were not blinded to the errors of their leaders, or the impolicy and intemperance which, at times, have marked their proceedings. In this they have differed widely from the course pursued by our ancestors in their contest with Great Britain; who, although treated in the first place with an injustice which stimulated them to opposition against



the wrongs which were heaped upon them and for which no redress was offered, and ultimately to an open defiance of the power and wrath of the mother country; yet conducted their warfare with that moderation, that while they astonished Europe with the energy and resolution they evinced, gained even upon the esteem of their enemies by that temperate courage, which avoided unnecessary cruelty, and which never carried persecution and vengeance into the ranks of a discomfited foe.

Even the demon of retaliation which might have been called forth by the repeated cruelties inflicted on those of our brave countrymen who fell into the power of the British government was hushed by the more merciful spirit of forbearance. Our courage and martial zeal, far from being lessened by the clemency we showed our enemies was rather exalted by that self approving conscience which, while it urged upon us the necessity of having recourse to arms, deprecated the horrors of war, and endeavored to render them less severe. A conduct so magnanimous made even an impression on those whose bosoms had been steeled against compassion, and who had been led to believe that a war of extermination was justice when waged against rebellion to majesty. The ranks of our enemies thinned—and we found friends and advocates even in the hearts of a parliament and a ministry who had a short time before destined us to destruction. The world who beheld us could not but admire virtues so heroic in a small band of patriots, who breasted with so much gallantry and spirit the hosts of a powerful nation, old in war and fruitful in resources, and at the same time, under the most galling oppressions and injuries, exercised a temperance which put to shame the legions of her enemy, who boasted to be not only the most civilized but most generous people of Europe. The sentiment of the world became all in our favor, and it was decided that we were fit to obtain the freedom we fought for by the prudence we displayed and the moderation which we practiced.

In regarding the contest of our southern brethren we are sorry to say that we look in vain for the exercise of those brave and merciful traits which distinguished us in the very darkest days of calamity, and throughout the whole revolutionary war. Washington is said to have wept over the fate of an Andre, and the army to have mourned the death of a gallant officer, which the rules of war demanded, and which not to have carried into effect would have manifested a weakness, and been an injustice to ourselves and our cause.

The tract of the patriots of South America, as well as that of the royalists of the tyrant Ferdinand has been more or less marked, in various sections

or provinces, with a sanguinary vengeance the recurrence to which is fitted to chill us with horror. It has on either side been literally the war of death and extermination. Cruelties the most barbarous have been inflicted, by both parties, with an unrelenting hand, and the miserable victims of ungovernable rage have only, at last, escaped their dungeon of horrors to be precipitated by a relentless hatred, into eternity.

There yet appears wanting, in our view of the contest in which the patriots are engaged, that *MANLY FIRMNESS* which can resist the *passions* and mollify *even resentment* to the standard of humanity. There seems yet, even uppermost, that original sin of the Spanish character, which carries vengeance to its extremest point, and which knows nothing of mercy or forgiveness. This has long been lamented by their firmest and sincerest friends, as that ferocity of character displays a backwardness in civilization, under which a just and liberal government cannot be expected to be established.

It is singular that christianity, whose mild doctrines all inculcate mercy, should be the favored religion of a people who never practise it, and whose priests in either camp, (*that of the Royalists or Patriots*) would denounce it as an abomination should it snatch one victim from the fangs of the angel of vengeance.

These, in our opinion, are the elements pernicious to the freedom of the patriots—a species of original taint and depravity derived from their ancestors, and nursed by superstition and error. The Spanish patriots, viewing them as we do with every wish for their success, yet retain, as we believe, a greater enemy within themselves than they have to combat abroad; and until they can regenerate, as it were, the very blood which animates them to deeds of valor, and not suffer it also to lead them to deeds of desperation, they will (let their victories be whatever they may) have won but half the battle. While we wish destruction to the tyranny of Spain, we cannot indiscriminately applaud that which our reason bids us to condemn, even in the conduct of the champions of liberty; and in considering this subject, we shall dispassionately inquire, while contrasting the revolutionary war of North America with that of the South, whether it would be politic in the States to place themselves in a position where they would be obliged to take a part in the present contest.

The North American people, or rather our ancestors, at the era of our revolution, were essentially a different people from the present patriots of the South; though formed materially or corporeally alike, their essences or manner of thinking and acting were widely opposite. Our

fore-fathers had emigrated to avoid religious persecution, and on settling on the continent of America, tolerated the liberty of each one thinking for himself, as regarded the duties between God and man, and allowed the worship of the Creator in whatsoever manner might appear most appropriate to the conscience of the worshipper. Although freethinkers, our fore-fathers proved themselves a religious as well as a moral people, as the early building of churches testify. The freedom of conscience or religious toleration, being established and handed down from father to son may be considered the first step towards our civil liberty and the safest arch of our independence.

No feudal or governmental code of religion was here taught which inculcated that kings were sent to earth from heaven, and anointed by God himself to rule over the destinies of nations. No dogmas were promulgated to make it impious to believe that priests were *no more* than common men, or to deny that they were the deputies of St Peter, and held the keys of heaven and had the forgiveness of sins, and even represented the majesty of the Almighty. The human mind was free to believe or to deny that which appeared to it to be natural or just; and from having that great principle given it, as regarded its concerns with the other world (a privilege hitherto denied it under persecutions the most awful) it soon assumed by natural progression the privilege of thinking and reasoning on the concerns of this.

The principles of liberty were therefore thoroughly known and understood by the patriots of North America, long before they unsheathed the sword to repel oppressions which would in the end have led to the subversion of the freedom of religion, as well as every other freedom which we now enjoy. It was not therefore a chimera of the imagination, or a doctrine to be taught; it did not start into existence as a meteor and blaze with that intemperance which marked the revolution of France, where liberty became licentiousness from being misunderstood, and exploded by the consequence of its abuses. Liberty was a moral truth with us well established, it was not a fictitious goddess enthroned—a *bonnet rouge* or a tri-colored cockade.

The minds of the people of France at the commencement of its revolution were in a state of slavish bigotry and superstitious *enchainment*. On the overthrow of the church, and the destruction of the priests religion was lost—and as the terrors of it no longer existed; morality even did not supply its place, for it had been so obscured by form and ceremony; and outward worship and inward fear had so long prevailed as being the *true spirit* of adoration, that with the overthrow of

the authority of the governmental religion, impiety in all its hardihood walked triumphant and reasoned that as it had been so long deceived and abused by the machinations of kings and priests, that religion had no existence and that man even owed nothing to his God.

The horrors of that day and the fury of the storm are too recent to be forgotten. The human intellect in France was all insanity, it was not prepared for the lights of philosophy, it was like springing from a tomb into the glare of a meridian sun.

The minds of even the revolutionary Spaniards of the South although some of their leaders are illumined by the events which grew out of that great *bouleversement* of which we have had reference, are for the most part, yet under the influence of all the superstition which it has been the study of the church and state to inculcate by shrouding its vassals under the mantle of ignorance, debasing the intellect by infusing error under the denomination of creeds, and shutting out all the lights which philosophy and the arts have shed upon the world.

(To be continued.)

#### SOUTH CAROLINA:

##### GOVERNOR'S MESSAGE TO THE LEGISLATURE.

*Gentlemen of the Senate and of the House of Representatives,*

We have again met, for the purpose of taking into consideration the affairs of the state, and to adopt such measures as our best judgment may dictate, and as the public good may require.

Although we have to deplore the afflictive dispensations of Providence, in visiting us during the last season, with more than our usual portion of sickness, which has deprived us of some of our best friends and most distinguished citizens, yet we have great cause of gratitude to heaven, and of congratulation to each other, in being blessed with a return of health and an abundant harvest of those productions which are of primary importance, in procuring the comforts and securing the felicities of life. To answer the expectations of our constituents, it is highly necessary that confidence and unanimity should prevail in your deliberations, and that all party feelings and oral jealousies should be merged in a generous love of country and an attachment to our republican institutions.

I have the honor to lay before the legislature, resolutions marked (A) of the legislature of the states of Connecticut, New-Jersey, North Carolina and Kentucky, recommending certain amendments to the constitution of the United States for your consideration.

By an act of your last session, it was made my duty to appoint commissioners to survey and lay out the lands which were purchased by the state of South Carolina, from the Cherokee Indians, into such tracts as were prescribed by law—I have the pleasure to inform you that this work has been completed, and that I will, at an early day, lay before the legislature such documents as will

give every information, and I hope satisfaction, upon this subject.

I was also directed by your resolution to employ surveyors to survey and make maps of the respective judicial districts throughout the state, for the purpose of procuring an accurate general map of the state. To carry into effect the intention of the legislature, I have spared no exertion on my part, and have visited every district, hoping by this means, I would be able, the more readily, to employ the persons best qualified to perform this important service. In this object I hope I have generally succeeded: but may have employed some, from necessity, who may not perform their engagements well. This, however, will be their own loss, as it is only upon the full and faithful performance of their contracts, that they are to expect payment. This decision must necessarily rest with the members of the legislature, before appropriations are made for paying the contracts which I have entered into in obedience to their resolution. There are yet, a few of the districts for which I have not been able to employ surveyors. I flatter myself that I will have the pleasure to lay before you, during your present session, some of the maps, for your inspection and approbation.

In December last you passed an act prohibiting, under the several penalties, the introduction into this state, any slave, from any other state or territory, to remain here under any circumstances whatever. As the agricultural prosperity of this state depends so much upon persons of this description, it is believed that the general interest loudly calls for some alteration or modification of this law. As the law now is, persons who wish to become residents among us, are prevented from bringing with them their slaves, to whom they are attached, not only because they are instruments of wealth and comfort, but often because they have descended to them from revered and respectable ancestors. Our own citizens, under the existing statute, are unable to bring into the state, slaves which they may be entitled to by marriage, inheritance or devise, and are obliged either to sacrifice them and leave their lands uncultivated, or remove with their character, usefulness, enterprise and wealth, to add to the respectability and resources of some other state or territory.

That there should be in any commercial nation a precise value fixed by law to any article of commerce or traffic, which is to remain without alteration, whilst the value of every thing else is changed by circumstances, is certainly extraordinary as it is clearly impolitic and unjust. Of this character is the law regulating the interest which is to be taken for the use of money. From the great profits arising from capital, well employed, in agriculture, commerce and trade, there will be but few money-lenders, and the unfortunate and necessitous will be induced, too often, to comply with terms which are intended to insure against the hazard and infamy of detection. It is believed that laws appointing the rate of interest, for the use of money, increase the evil which they are intended to remedy, and that, therefore, they demand the attention of the legislature.

That the truth cannot be given in evidence, in prosecutions for libel, as the law now is, would seem to be a violation of the fundamental principles of justice, as there can be no good reason why the truth, in most cases, should not be a suffi-

cient justification, whether written or spoken.—It must, however, be admitted that there are many cases where the truth ought not to be published, as it could not tend to any good, and could only proceed from a wanton desire to stigmatize and injure; but in prosecutions for the publication of all public documents, or any publication touching the character and conduct of any in public confidence or trust, or who do, in our popular government, aspire to public office, the truth should be allowed in justification, as this is necessary for the information of the people, from whom all power does and ought to emanate.

By the law providing for the establishment of free schools throughout this state, the provisions for the education of children are not sufficiently precise, and, as it was anticipated, abuses have crept in which demand the interference of the legislature. It is desirable that this law, which affords such strong evidence of the liberality and philanthropy of the state, should be made as perfect as possible.

That the poor shall be liberally provided for by law, will not be questioned by any one; but it is of great importance that the line of distinction between the indolent and dissipated, and the poor should be strongly marked. In some districts, the provision made for the poor, has within a few years augmented threefold, without any visible increase in the number of those who are real objects of charity. This circumstance must arise either from some defect in the law, or from the mal-administration of it. A revision of our poor laws is earnestly recommended, and it is believed that much alteration will be found necessary.

To facilitate intercourse between the remotest parts of the state and with our sister states, and to lessen the inconvenience and expense to the farmer and planter, in transporting to market the rewards of their industry, it is desirable that the roads in most parts of the state be more attended to. The face of our country is very favorable to the improvement of our roads, and nothing but the most culpable neglect can account for their present bad condition. The principal causes of our bad roads are the great and unnecessary multiplication, in some districts, of roads which have been made by the commissioners of public roads, the want of sufficient responsibility in the commissioners; in some districts there not being a sufficient number of them to attend to their duties, and too often a total ignorance of their duties and powers. I would recommend that a law be passed embracing such provisions as may be thought proper, upon the subject, and that all former laws relating to roads be repealed.

I regret to state that the public buildings, viz: court-houses and jails, are very much neglected, and that the officers under whose care they certainly are, in some districts, have been guilty of the most shameful dereliction of duty in leaving them open to every exposure. This subject demands some attention for the credit and interest of the state.

It is highly important, that every proper restriction should be imposed upon habits and vices, which are calculated to destroy that virtue upon which our republican institutions must ultimately depend. The legislature has done much by its munificent endowment of a college, and its provision for free schools, for the education of our youth; but without good morals they will not be useful citizens. Every legal impediment

which can be thrown in the way, to prevent bad habits in youth, would be something done in favor of virtue. I would beg leave to suggest the propriety of passing some law to prevent the habitual drunkard from exhibiting, in public, the odious vice of drunkenness, and by its frequency rendering it less detestable, and to restrain him from waisting his property and thereby bringing his family, for whom he is bound to provide by the strongest obligations, to want and wretchedness. As auxiliary to this end I would recommend that all accounts or contracts for ardent spirits, by retail, should not be recovered by law.

There being a number of copies of Brevard's Digest of our statutes now remaining subject to the distribution of the legislature; I would recommend that three copies be presented to each state, one for the use of each branch of the legislature and one for its executive. It is also recommended that three copies of our laws, passed at each session of the legislature, be transmitted to the executive of each state for the same purposes, and that an interchange of laws be requested.

I am happy to state that the good effects of the liberality of the legislature, in furnishing the officers of the militia with books of instruction are beginning to be seen, by their gradual and progressive improvement.—It is however thought advisable, that the law appointing brigade encampments of the officers, from the serious inconvenience, expense and difficulties occasioned thereby, be repealed.

The interests of agriculture, which are of primary importance in every country, and particularly to the citizens of this state, whose great staple commodities make so considerable a part of our national exports, demand that much should be done by a liberal and enlightened legislature, for the internal improvements of our country; in improving our roads, opening canals, and making our rivers navigable.—The most liberal appropriations for these purposes, judiciously applied, would be lending upon usury, only to receive the most ample and grateful returns. The present time is the most conspicuous for such undertaking, as there is in the treasury, a large sum unappropriated, which could be applied to no object more useful or advantageous to the state. It is confidently hoped, that this subject will receive that attention which its importance merits; and that the legislature will do something which will be considered the commencement of a general system for internal improvements.

*Very respectfully &c.*

ANDREW PICKENS.

#### NATIONAL LEGISLATURE.

FIRST SESSION—FIFTEENTH CONGRESS.

#### SENATE.

Monday, Dec. 15.

*Effect to Laws in Mississippi.*

By Mr. Williams, of Mississippi—

*Resolved*, That the committee on the judiciary be instructed to inquire what provisions are necessary to give effect to the laws of the United States, within the state of Mississippi.

*Restitution of Slaves.*

By Mr. Troup—

*Resolved*, That the President of the United States be requested to cause to be laid before

the senate such information as he may possess, touching the execution of so much of the first article of the late treaty of peace and amity between his Britannic majesty and the United States of America, as relates to the restitution of slaves, and which has not heretofore been communicated.

#### *Our Relations with Spain.*

By Mr. Barbour—

*Resolved*, That the President of the United States be requested to communicate to the senate such information as he may possess, and which the public interest will permit him to disclose, relative to our pending negotiation with Spain.

#### *Distribution of the President's Message.*

On motion of Mr. Lacock, so much of the President's message as relates to the public buildings was referred to the committee on the District of Columbia.

On motion, so much of the message as relates to the militia was referred to the committee on the militia.

On motion of Mr. Tait, so much of the message as relates to the naval affairs was referred to the committee on that subject.

So much of the message as relates to public lands; and so much thereof as relates to the surviving officers of the revolutionary army, was respectively referred to the proper committees.

So much of the message as relates to roads and inland navigation was referred to a select committee, composed of Messrs. Lacock, King, Barbour, Otis, and Morrow.

#### *Bankruptcy.*

The senate resumed the consideration of the resolution submitted by Mr. Daggett, on the 12th inst. and agreed to in the following form:

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of passing a law on the subject of bankruptcies, or insolvency. Also, that the aforesaid committee inquire into the expediency of further provision by law for the punishment of offences committed in places within the exclusive jurisdiction of the United States. Also, into the necessity of further defining piracy and other offences committed on the high seas, and into any defects existing in the laws of the United States for the punishment of crimes and offences.

#### *Judicial Districts in Pennsylvania.*

The senate took up for consideration the motion made by Mr. Lacock on the 12th inst. directing the judiciary committee to inquire into the expediency of dividing the state of Pennsylvania into two judicial districts; and agreed thereto.

#### *Mint Bill referred.*

The bill from the house of representatives, to continue the mint establishment at Philadelphia, was read the second time, and referred.

#### *Internal Duties.*

The bill from the house of representatives to abolish the internal duties, was reported by Mr. Campbell, from the committee on finance, with a few verbal amendments, which were agreed to, and the bill ordered to be read a third time to-morrow.

#### *Titles to public Lands in Tennessee.*

Mr. Campbell's motion of the 12th instant, directing the committee on public lands to inquire into the expediency of providing by law, for an



authorizing those who hold titles derived from the state of North Carolina, to lands in that part of the state of Tennessee to which the Indian claim has not been extinguished, to have the boundaries or other land marks of their claims ascertained and re-marked, or otherwise identified, in order to perpetuate the evidence to support the same; was taken up and agreed to.

*Capt. Heath and Com. Perry.*

The memorial presented on the 12th instant, from sundry officers of the Mediterranean squadron, and officers of the marine corps, complaining of certain grievances therein stated, was taken up and referred to the committee on naval affairs, and

The senate adjourned.

*British Land Claims in Mississippi.*

Tuesday, Dec. 16.—Mr. Leake presented a memorial from the late convention of Mississippi, on the subject of certain land claims held under British titles, and praying for their extinguishment; which was referred to the committee on public lands.

*Extension of the Limits of Mississippi.*

Mr. Leake also presented a memorial from the same convention, praying an extension of the limits of the state of Mississippi, for reasons therein stated; which was referred to Messrs. Leake, Troup, and Williams of Tenn.

*Virginia Military Lands.*

Mr. Morrow laid on the table the following resolution:

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of prohibiting any location or surveys being made under military land warrants, on lands in the Virginia military tract, to which the Indian title has not been extinguished for a period of — months after the ratification of any treaty formed for the extinguishment of such title: And also, that they inquire what provision should be made for extending and fixing a boundary line between the lands aforesaid and the public lands of the United States.

*Boundary Line of Ohio.*

Mr. Morrow also submitted a motion to appoint a committee to inquire if any and what legislative provision is necessary to be made for ascertaining and establishing the northern boundary line of the state of Ohio.

*Tennessee and N. Carolina Land.*

Mr. Williams, of Ten. presented to the senate the representation of the general assembly of the state of Tennessee respecting the grants of lands in that state by the state of North Carolina; which was read and referred to the committee on public lands.

*Collection of Duties on Merchandize.*

The senate resumed the consideration of the motion offered by Mr. Sanford on the 8th instant, to direct the committee of finance to inquire what alterations or amendments may be requisite in the present system of collecting the duties charged on the value of merchandize imported into the United States; and what farther legal provisions are necessary, in order to secure the equal and certain collection of those duties.

Mr. S. entered into a very minute and extensive examination of the subject embraced by his

motion: the evils which prevail in the present system of collecting the duties referred to, and the benefits which would result to the revenue from the adoption of proper legal provisions, &c.

The resolution was agreed to without opposition.

*Internal Duties.*

The engrossed bill from the house of representatives, for abolishing the internal duties, was read the third time as amended by the senate, passed, and returned to the house for concurrence in the amendments.

The resolutions offered yesterday by Mr. Williams, of Mississippi, by Mr. Troup, and by Mr. Barbour, respectively, were successively taken up and adopted.

*Laws and Documents of the U. States.*

The resolution from the house of representatives, directing a distribution of the revised code of laws of the United States among the members of the present congress; and the resolution of the senate directing the distribution of the public documents, severally passed to a third reading; and

The senate adjourned.

Wednesday, Dec. 17.—The senate resumed the consideration of the motion yesterday made for instructing the committee on the public lands to make inquiry relative to lands in the Virginia military tract; and of the resolution to appoint a committee to inquire what legislative provision is necessary to be made for ascertaining and establishing the northern boundary line of the state of Ohio; and agreed thereto.

Messrs. Morrow, Talbot, Taylor, King and Noble, were appointed a committee in pursuance of the last resolution.

The resolution directing a distribution of certain laws among the members of the Fifteenth Congress; and the resolution authorising the distribution of certain public documents, were read a third time, passed, and sent to the other house for concurrence.

*Traffic in People of Color.*

Thursday, Dec. 18.—Mr. Goldsborough presented the memorial of the representatives of the yearly meeting of the religious society of Friends held in Baltimore, praying some further provision by law for suppressing a traffic in negroes and people of color from the middle to the southern states; which was read and referred to a select committee, consisting of Messrs. Goldsborough, Horsey, Smith, Burwell and Eppes.

*Survey of Military Lands, &c. &c.*

A message was received from the President, transmitting a report from the secretary of the treasury relating to the progress made in surveying the several tracts of military bounty lands appropriated by congress to the late army of the United States, and the time at which such survey will probably be completed; which was read.

Mr. Noble submitted a motion instructing the committee on public lands to inquire into the expediency of establishing a land office in the eastern part of the state of Indiana.

Mr. Eppes submitted a resolution to instruct the committee on public lands to inquire into the expediency of extending for a further time the act "extending the time for locating Virginia military land warrants, and for returning the sur-

vey thereon, to the general land office;" and also the act entitled, "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia revolution warrants.

#### *A public Road.*

Mr. Ruggles submitted for consideration a motion to instruct the committee on roads and canals to inquire into the expediency of providing by law for the appointment of commissions to survey, lay out, and mark a road from the west bank of the Ohio river, opposite the point where the Cumberland road strikes the same, through St. Clairsville and Zanesville, to Columbus; from thence to the western line of the state of Ohio, in a direction to St. Louis, in the Missouri territory.

These three motions lie on the table, one day of course.

The senate adjourned.

### HOUSE OF REPRESENTATIVES.

Thursday, Dec. 11.

#### *Duties on Imports and Tonnage.*

On motion of Mr. Smith, of Md. the committee of ways and means were directed to inquire whether any, and, if any, what amendments are necessary to the act to regulate the duties on imports and tonnage.

#### *Repeal of Internal Taxes.*

On the reading of the engrossed bill for the abolition of the internal duties, the third time, Mr. Walker, of N. C. rose and observed, he had no doubt of the passage of the bill, and cheerfully congratulated his fellow citizens upon taking leave of an old acquaintance—the internal taxes. He should call for the yeas and nays on the passage of the bill.

The question being put, "shall the bill pass," a discussion upon the policy of the measure ensued, in which Messrs. Hopkinson, Baldwin, and Sergeant of Pa. Holmes of Mas. Barbour, and Johnson of Va. Pitkin of Con. and Smith of N. C. took a part. The passage of the bill was opposed by the two first, and advocated by the six latter gentlemen.

The question on the passage of the bill was then determined by yeas and nays, as follows:

YEAS.—Messrs. Abbott, Adams, Allen, Mass. Allen, Vt. Anderson, Penn. Anderson, Ken. Austin, Ball, Barbour, Va. Barber, Ohio, Bassett, Bateman, Bayley, Beecher, Bellinger, Bennett, Bloomfield, Blount, Boden, Ross, Burwell, Butler, Campbell, Clagett, Claiborne, Cobb, Colston, Comstock, Cook, Crafts, Crawford, Cruiger, Culbreth, Cushman, Darrington, Desha, Drake, Earle, Edwards, Elliott, Floyd, Folger, Forney, Forsyth, Gage, Garnett, Goodwyn, Hale, Hall, N. C. Harrison, Hasbrouck, Hendricks, Herbert, Herkimer, Herrick, Heister, Hitchcock, Hogg, Holmes, Mass. Holmes, Conn. Hubbard, Hunter, Huntington, Ingham, Irving, N. Y. Johnson, Va. Johnson, Ken. Jones, Kinsey, Kirtland, Lawyer, Lewis, Linn, Little, Livermore, Lowndes, McLane, W. Maclean, W. P. Maclean, Marchand, McCoy, Marr, Mason, Ma. Mercier, Merrill, Miller, Moore, Morton, Moseley, Mumford, Murray, H. Nelson, T. M. Nelson, Nesbitt, New, Newton, Orr, Owen, Palmer, Parris, Parrott, Patterson, Pawling, Peter, Pindall, Pitkin, Pleasant, Quarles, Reed, Rhea, Rich, Richards, Ringgold, Robertson, Ken. Robertson, Lou. Ruggles, Sampson, Savage, Sawyer, Scudder, Sergeant, Settle, Seybert, Shaw, Sherwood, Slocumb, S. Smith, Md. Ballard Smith, Alex. Smyth, J. S. Smith, Southard, Spangler, Speed, Spencer, Strong, Strother, Stuart, Tallmage, Tarr, Taylor, Terrill, Terry, Tompkins, Townsend, Trimble, Tucker, Va. Tucker, S. C. Tyier, Upland, Walker, N. C. Walker, Ken. Wallace, Wendover, Westerlo, Whiteside, Whitman, Williams, Conn. Williams, N. Y. Williams, N. C. Wilkin, Wilson, Pa.—161.

NAYS.—Messrs. Baldwin, Hopkinson, Middleton, Jer. Nelson, Storrs—5.

The bill having passed, it was sent to the Senate for concurrence.

#### *The Mint.*

The bill for continuing the mint establishment at Philadelphia, passed through a committee of the whole, Mr. Pitkin in the chair; and was ordered to be engrossed for a third reading, without opposition. Adjourned.

#### *Bankruptcy.*

Friday Dec. 12.—Mr. Hopkinson, of Pennsylvania, from the committee on the Judiciary, reported a bill to establish an Uniform System of Bankruptcy throughout the United States; which was twice read and committed.

#### *Who have held disqualifying offices.*

At the instance of the committee of elections, Mr. Taylor of N. Y. introduced the following resolution under the impression that it proposed a course the most respectful to the House, if not the only manner in which the committee could execute the duty required of them:

Resolved, That the President of the United States be requested to communicate to this House, whether any, and, if any, which of the Representatives named in the list hereto annexed, have held any office under the United States since the 4th day of March, in the year 1817; designating the office or offices they have respectively held, the time of appointment and acceptance of the said offices; whether the same are now held, and, if not, when the same were several resigned.—[Annexed to the resolution was a list of the names of the members of the 15th Congress.]

The resolution was agreed to, and a committee appointed to present the same to the President.

#### *Revolutionary Patriots.*

Mr. Bloomfield, of New-Jersey, from the committee to whom was referred so much of the President's message as relates to the surviving Revolutionary Patriots, reported, in part, a bill concerning certain surviving officers and soldiers of the late Revolutionary Army.

[This bill provides that every commissioned and non-commissioned officer or soldier, who had served in the army during the war which terminated in the treaty of peace with Great Britain in 1783, and reduced to indigence, or by age, sickness, or any other cause may be unable to procure subsistence by manual labor, shall receive half pay during life, equal to the half of the monthly pay allowed to his grade of service during the revolutionary war—provided, that no pension thus allowed to a commissioned officer shall exceed the half pay of a lieutenant-colonel.]

This bill was twice read and committed.

#### *Public Lands.*

On motion of Mr. Edwards of North Carolina, the committee on the public lands were instructed to inquire what further provisions are necessary in the existing laws, for the more effectual prevention of frauds by the purchasers of the public lands.

On motion of Mr. Scott, the committee on the public lands were instructed to inquire into the expediency of making further provision by law for the final adjustment of land claims in the Missouri territory.

#### *Stock in roads and canals.*

On motion of Mr. M. Lane, of Del. the committee on so much of the message of the President, as relates to roads and canals, were instructed to

Vol. II.—1817.]

inquire into the expediency of authorizing the Secretary of the Treasury of the United States to subscribe for stock in the company incorporated under the name and style of the Chesapeake and Delaware Canal Company, or any other company now, or hereafter to be incorporated for similar purposes, to be paid by the appropriation of the public lands, or by any surplus money in the treasury of the United States.

*The mint bill passed.*

The engrossed bill, supplementary to the act for the establishment of the mint (for continuing the same at Philadelphia) was read a third time, passed, and sent to the Senate for concurrence.

The House then resolved itself into a committee of the whole, Mr. Wilkin of N. Y. in the chair, on the bill for the relief of John Bate.

This bill, which proposes to indemnify Mr. Bate for certain losses sustained by the overflow of a Saline rented by him from the government, occasioned a debate of some length, involving the principle, as well as the facts, which lasted until the usual hour of adjournment, when the bill was postponed for further consideration.

The House adjourned to Monday.

*Internal Improvements.*

Monday, Dec. 15.—Mr. Tucker, of Va. from the committee to whom was referred so much of the message of the President of the United States as relates to the subject of internal improvements, made a long and elaborate report, concluding with the following resolution:

*Resolved*, That, in order to promote and give security to the internal commerce among the several states; to facilitate the safe and expeditious transportation of the mails by the improvement of post roads with the assent of the respective states; to render more easy and less expensive the means and provisions necessary for the common defence, by the construction of military roads, with the like assent of the respective states; and for such other internal improvements as may be within the constitutional powers of the general government, it is expedient that the sum to be paid to the United States by the 20th section of the act to incorporate the subscribers to the bank of the United States, and the dividends which shall arise from their shares in its capital stock, be constituted as a fund for internal improvement.

The report was read, and referred to a committee of the whole.

*Amelia Island and Galvezton.*

The following message was received from the President of the United States, by Mr. J. J. Monroe, his secretary:

*To the House of Representatives.*

In compliance with the resolution of the house of representatives of the 8th of this month, I transmit, for the information of the house, a report from the secretary of state, with documents referred to in it, containing all the information of the executive, which is proper to disclose, relative to certain persons who lately took possession of Amelia Island and Galvezton.

JAMES MONROE.

Washington, Dec. 15, 1817.

DEPARTMENT OF STATE,

December 13, 1817.

The secretary of state, to whom has been re-

ferred the resolution of the house of representatives of the 8th instant, requesting the President to lay before the house any information he may possess, and think proper to communicate, relative to the proceedings of certain persons who took possession of Amelia Island, at the mouth of St. Mary's River, in the summer of the present year, and made an establishment there; and relative to a similar establishment, previously made at Galvezton, has the honor to submit to the President the accompanying papers containing the information received at the respective departments of state, the treasury and the navy, upon the subjects embraced in the resolution.

The above documents, and accompanying papers, were ordered to be printed.

On motion of Mr. Comstock, of N. Y. the committee of pensions and revolutionary claims were instructed to inquire into the claim of Sylvanus Townsend for reimbursement of two old loan office certificates.

*Reclamation of Slaves.*

On motion of Mr. Pindall of Virginia, it was *Resolved*, that a committee be appointed to inquire into the expediency of providing more effectually by law for reclaiming servants or slaves escaping from one state into another; and that they have leave to report by bill or otherwise.

*Pensions to sufferers in war.*

Mr. Harrison, of Ohio, offered the following resolution:

*Resolved*, That the committee on Military Affairs be, and they are hereby instructed to inquire into the expediency of continuing the Pensions which now are or have been heretofore allowed to the widows and orphans of the officers and soldiers who were killed or wounded in the service of the late war, for a term of five years beyond the periods when they shall respectively cease under existing laws.

In support of this motion, Mr. H. made an appeal to the heart and justice, and enforced his appeal in instancing the situations of the lady of the late brigadier general Pike, who he said had experienced an irreparable evil in the loss of her husband who fell fighting that his country might be great, free and happy, and that the nation ought to do what they can in rendering her comfortable, but he knew from personal knowledge that this lady would be compelled to seek the comforts of life for her self and daughter by her personal exertions, if the law should not pass contemplated by his resolution. This was only one instance among many which called upon the honor of the nation.

It was not personal considerations which inspired an Allen, a Heart or a Pike, but the glory of their country. Yet said he there are moments when the claims of nature will have their full effect. I have seen, said he, the wounded and expiring warrior in that awful moment, when the martial ardor which had filled his bosom had been suspended by the pain which he felt—when the sacrifice being made, nought of public duty remained to be performed—then it is, sir, that the thoughts of his family would fill him with the greatest solicitude. A beloved wife and children left friendless and unprotected the latter without the means of education, and both without support. In such a situation, said Mr. H. I have heard amidst the fervent aspirations to Heaven for their

happiness a consoling hope expressed that his country would not forsake them. Shall we, sir, not realize that hope? The country, said Mr. H. may be engaged in another war; if it should be the case, let us commence it with the benedictions of the widow and the orphan upon our heads. Let not their prayers ascend to Heaven charged with accusations against your justice and humanity. But said Mr. H. I am anticipating a thing that cannot happen; the resolution will pass, as will a law that will be reported in obedience to it.

The motion of Mr. Harrison was not opposed, and was adopted.

#### *Post Roads in Ohio.*

On motion of Mr. Barber, of Ohio, the committee on Post Roads were instructed to inquire into the expediency of establishing a post road from Marietta to Lancaster, by the route through Oliver, a settlement on the head waters of Wolf Creek, and a road from Warren, by Parkman and Burton to Painesville.

#### *Commutation of soldiers' pay.*

The House then resolved itself into a committee of the whole, Mr. Bassett in the chair, on the bill for the commutation of soldiers' pay.

Mr. Johnson, of Ky. as chairman of the military committee, stated a number of facts bearing on the subject of the bill. The number of men in the service at the close of the war was ascertained to have been 34,000; the number who died in service or were killed in battle, was estimated at about 17,000; making in the whole about 50,000 soldiers (and heirs of soldiers) entitled to the bounty in land. For this number eight millions of acres would be required. But it was a number overrated; and he did not believe that 40,000 would come forward to claim the land bounty. Of the whole number of 50,000, he calculated that not more than half would commute for money, say 25,000; to pay this number the proposed commutation would require five millions of dollars, or 1,250,000, annually, for four years, which mode of payment had been selected, as well with a view to the benefit of the soldiers as to the relief of the treasury. The committee, he said, had no doubt but the annual proceeds from the very land commuted would be sufficient to defray the whole amount; which would remove all objections of a financial nature—and he was not aware of any other. The measure he hoped, would have the effect of cutting off all speculation, of which there was so much complaint, and by which the soldier was deprived of his rights under the influence of his necessities.

A debate of some length arose on this bill, and particularly on its details which did not, however, result in any final decision.

#### *Among others—*

Mr. Holmes, of Mass. doubted much the policy of the bill, and feared that Congress, in passing it, would be legislating for the benefit of the speculator, and not of the soldier. To obviate this effect as far as he could, he proposed an amendment, going to defer the operation of the bill to a distant day, that general notice might be given of it.

Mr. Clay (the speaker) supported the measure with much zeal, and by arguments favorable to the soldier, and adverse to the speculator. He did not, however, entirely approve of the details of the bill; to which he moved amendments, going to exclude any but original grantees from the

benefit of the provision, and reducing the commutation to one hundred dollars for every 160 acres, and two hundred for every 320. These amendments, however, he waived for the present, to give place to a motion to strike out the first section of the bill, in order to try the principle of the bill.

A motion was made to strike out the first section of the bill.

Mr. Holmes, of Mass. Mr. Storrs, of New-York, Mr. Smith, of Maryland, and Mr. Clagett, of New-Hampshire, successively expressed their fears that it would be impossible so to arrange the details of the bill as to prevent its being converted to the benefit of the speculator. That the object of the bill is laudable, was allowed; but in addition to the objections of mere detail, it was also suggested, by some one or other of the gentlemen, that Congress had done their duty liberally and had no need to do more; that the public funds could be better employed, if to spare; and, finally, that, if Congress once legislated on the subject, they would never see the end of supplementary laws, and individual claims of relief.

To all which Mr. Clay briefly replied, that objections to the present details of the bill were no arguments at all, because the bill was open to amendment, and all that was necessary could be made, the House having once decided the principle. The principle of commutation, he shewed, was so far from new that Congress had already adopted it in regard to the heirs of deceased soldiers, allowing them the option of a limited pension in lieu of bounty land.

On the suggestion of Mr. Livermore, of New-Hampshire the subject having been opened, and opinions interchanged on it, to give time to reflect more upon them, the committee rose, reported progress, and obtained leave to sit again.

And the house adjourned.

#### *Revolutionary claims, loan office certificates.*

Tuesday, Dec. 16.—Mr. Rhea, of Tennessee offered for consideration the following resolution:

*Resolved*, That the committee on pensions and revolutionary claims be instructed to inquire into the expediency of suspending, for one year so much of the act, entitled "An act making further provision for the support of the public credit and for the redemption of the public debt," passed the third day of March, 1795, as bars from settlement or allowance, certificates, commonly called loan office and final settlement certificates, and indents of interests.

Mr. R. said that it was well known that in June, 1798, a law was passed suspending the operation of the statute for one year, and giving that time for the settlement of out standing revolutionary claims. He had heard it said, of a former committee of claims, that, while this statute existed in force, hope could not enter the door of the chamber in which they sat. Such certainly at present was the case with the committee (of pensions and revolutionary claims) of which he was a member. He could see no possible reason why the just claims outstanding against the government since the revolutionary war should not now be liquidated and paid off. On this subject, if it were necessary, Mr. R. observed that he could say a great deal. He had often felt warm when he had heard reports made in this house adverse to the just claims of such petitioners; and it was with no little violence to

his own feelings make the request to lie motion would be the act of The nation, been when over on the no longer, against the resolution.

Le On motion Territory, Resolved lands be in ency of pro ing the lea belonging Territory, lessees in to enable

Resolved lands be in of provid the saline Missouri be deemed public us

On motion so much dures of tures of commit

The f verally By M the cler three c Cranch reports By M ing the the ex Harf in the By- recting exped ingdon at said By ing th dienc Virg lina, the st

Mr derd R lives Ass bers and ther year



his own feelings that he had been compelled to make the report of yesterday, which had been ordered to lie on the table. He hoped his present motion would be agreed to, and that the committee would report a bill to suspend the operation of the act of limitations for one year at least. The nation, he said, was rich. The time had been when claims of this character had been laid over on the plea of poverty: that reason existed no longer, and he hoped, that all just claims against the government would now be paid.

The resolution was agreed to without opposition.

#### *Lead mines of Missouri Territory.*

On motion of Mr. Scott, delegate from Missouri Territory, it was

*Resolved*, That the committee on the public lands be instructed to inquire into the expediency of providing by law for the better regulating the leasing and working the public lead mines belonging to the United States, in the Missouri Territory, in such a manner as to protect the lessees in the quiet enjoyment of their leases and to enable the government to collect their rents.

#### *Salines of Missouri Territory.*

*Resolved*, That the committee on the public lands be instructed to inquire into the expediency of providing by law for the leasing and working the salines belonging to the United States, in the Missouri Territory, in such part thereof as it shall be deemed advisable to put into operation for public use.

#### *Expenditures.*

On motion of Mr. Lowndes, of South Carolina, so much of the report of the committee of expenditures of the last year as relates to the expenditures of the war department, was referred to the committee of the present year.

#### *Law Reports.*

The following resolves were proposed, and severally agreed to:

By Mr. Sergeant, of Penn. a resolution directing the clerk to procure, for the use of the house, three copies of Dallas's reports, three copies of Cranch's reports, and three copies of Wheaton's reports.

By Mr. Hendricks, of Indiana, a resolution directing the committee on post roads to inquire into the expediency of establishing a post road from Hartford to the Rising Sun, in Dearborn county, in the state of Indiana.

By Mr. A. Smyth, of Virginia, a resolution directing the same committee to inquire into the expediency of establishing a post road from Abingdon, to Russell court house, and a post office at said court house, in Virginia.

By Mr. Williams of N. C. a resolution instructing the same committee to inquire into the expediency of establishing a post road from Norfolk, in Virginia, by the Falls of Roanoke, in North Carolina, through the town of Danville, in Virginia, to the state of Tennessee.

#### *Compensation of Members.*

Mr. Bassett, of Virginia, submitted for consideration the following proposition:

*Resolved by the Senate and House of Representatives of the United States of America, in Congress Assembled*, That the daily compensation of members of the Senate and House of Representatives, and Delegates from Territories, shall (until further provided for by law) be the same as in the year 1813.

The House refused to consider Mr. B's motion.

#### *Judges in Alabama Territory.*

On motion of Mr. Cobb, of Georgia, it was *Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of repealing so much of the third section of an act entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory," as requires "that no judge shall sit more than twice in succession in the same court," and also so much of the said section as requires more than one general court to be holden in each year, at the seat of government of said territory.

#### *Noah's Consulship at Tunis.*

On motion of Mr. Tallmadge, of New-York it was

*Resolved*, That the Secretary of State be directed to communicate to this House a copy of the account of M. M. Noah, late consul of the United States at Tunis, and a copy of any instructions given to him by the department of state respecting the ransom of prisoners at Algiers and any information in his department relative to the application, by M. M. Noah, of any monies in his hands as such consul.

#### *Pensions to invalids.*

On motion of Mr. Whitman, of Massachusetts it was

*Resolved*, That the committee on pensions and revolutionary claims be directed to inquire into the expediency of continuing the pensions granted to invalids of the army who served in the late war, in case of their decease before the expiration of the term of five years from the time of granting the same to the widow or children of such deceased invalid, if any he has left or shall leave, to the end of the said term.

#### *National Flag.*

Mr. Wendover, submitted for consideration the following resolution:

*Resolved*, That a committee be appointed to inquire into the expediency of altering the Flag of the United States, and that they have leave to report by bill or otherwise.

Mr. W. said in submitting this motion, that he should make but few remarks on this subject, not being a novel one: a bill relative thereto having been reported at the last session, but laid over from the pressure of business deemed of more importance. Had the flag of the United States never have undergone an alteration, he certainly should not, he said, propose to make a further alteration in it. But having been altered once, he thought it necessary and proper that an alteration should now be made. It was his impression, and he thought it was generally believed, that the flag would be essentially injured by an alteration on the same principle as that which had before been made, of increasing the stripes and the stars. Mr. W. stated the incongruity of the flags in general use, (except those in the navy) not agreeing with the law, and greatly varying from each other. He instanced the flags flying over the building in which Congress sat and that at the Navy Yard, one of which contained nine stripes, the other eighteen, and neither of them conformable to the law. It was of some importance, he conceived, that the flag of the nation should be designated with precision, and that the practice under the law should be conformed to its requisitions.

The motion was agreed to without opposition.

*Commutation of soldiers' pay.*

The House resumed the consideration, in committee of the whole, Mr. Bassett in the chair, of the bill for the commutation of soldiers' pay:

The question being on striking out the first section of the bill—

The debate resulted in no final decision of the question; before coming to which, the committee rose, reported progress, and asked leave to sit again. In the course of the debate, Mr. Clay read a long amendment of detail, which he intended to submit, should the motion to strike out the first section of the bill not prevail.

After the committee rose, Mr. Sergeant, desiring leave to sit again to be refused to the committee, signified his intention, in that event, to move a recommitment of the bill, with instructions to the committee to report a bill authorizing commutation of the land bounty for a pension during life.

This suggestion was overruled for the present, by the house granting leave to sit again.

And the house adjourned.

*Estimate of appropriations for 1818.*

Dec. 17.—The Speaker laid before the house the following communication from the treasury department, which was ordered to be printed with the accompanying documents:

TREASURY DEPARTMENT,

December 17th, 1817.

SIR—I have the honor to transmit herewith, for the information of the house of representatives, an estimate of the appropriations for the service of the year 1818, amounting to \$10,925,191 62,

For the civil list	1,070,708 02
Miscellaneous expenses	490,308 54
Disbursements with foreign nations	437,666 61
The military establishment including arrearages and Indian department	6,265,132 25
The naval establishment including the marine corps	2,611,376 20
	<hr/>
	\$10,925,191 62

The funds out of which the appropriations for the year 1818, may be discharged, are the following:

1. The sum of 6,000,000, annually reserved by the act of the 4th August, 1790, out of the duties and customs towards the expenses of government.

2. The proceeds of the stamp duties, and the duty on sugar refined within the United States.

3. The surplus which may remain of the customs and internal duties after satisfying the pledge for which they are pledged and appropriated.

4. Any other unappropriated money which may come into the treasury, during the year 1818.

I have the honor to be, very respectfully, sir, your most obedient servant,

WM. H. CRAWFORD.

The honorable the speaker

of the house of representatives.

The Speaker also presented to the house a report from the department of state on the petition of sundry inhabitants of the district of Detroit, in the territory of Michigan, respecting losses incurred during the invasion of 1812, by the Bri-

tish; which was referred to a select committee, and ordered to be printed.

*Laws in Mississippi.*

On motion of Mr. Poindexter,

Resolved, That the committee on the judiciary be instructed to inquire what provisions are necessary to give effect to the laws of the United States, within the state of Mississippi.

*Compensation to Members.*

On motion of Mr. Holmes of Mass.

Resolved, That a committee be appointed to inquire into the expediency of providing by law for the pay of the members of the senate and house of representatives and the delegates from the territories of the United States; and that the said committee have leave to report by bill or otherwise.

Mr. Livermore, of New-Hampshire, moved that this committee consist of twenty members, that one might be selected from each state, and thus bringing thereto the views and impressions of the various parts of the country, might agree upon a report which would save the house the alternative of exhibiting itself before the world in the unpleasant attitude of debating its own compensation. This number being objected to by Mr. Holmes, who wished the usual number (of seven) to be appointed, Mr. Livermore, withdrew his motion and a committee of seven was ordered to be appointed.

*Pensions to Widows and Orphans.*

On motion of Mr. Harrison,

Resolved, That the secretary of war be and he is hereby instructed to report to this house the amount of the pensions which have been granted to the widows and orphans of deceased officers and soldiers of the late war, specifying the number of each grade of officers to whose widows or children the pensions have been granted.

*Documents of District Courts.*

On motion of Mr. Tyler,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of causing offices to be erected for the safekeeping of the records, papers and documents of the several district courts of the United States, at or near the place of holding said courts respectively.

*Judges to supply vacancies of general commissioners of Bankruptcy.*

On motion of Mr. Sergeant,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of authorising the judges of the district courts in the several districts, and the judges of the supreme courts within their respective circuits, to supply any vacancies that may have happened by reason of the death, resignation or disability of the general commissioners of bankruptcy appointed by the president, under the authority of the act entitled "An act to amend the judiciary system of the United States," where the same may be necessary to complete the execution of any pending commission of bankruptcy.

*Internal Duties.*

The amendments of the senate to the bill to abolish the internal taxes, were taken up and severally agreed to; so that the bill now wants only the approbation of the president to become a law.

A resolution for distributing the public documents was received from the senate, read three times and passed; and  
The house adjourned.

*Thursday, Dec. 18.*—Mr. *Robertson* of Lou. reported a bill making provision for the establishment of additional land offices in the territory of Missouri; which was twice read and committed.

Mr. *Little* of Md. from the committee of accounts, presented a report as required by the order of the house, on the manner in which the printing of the house is executed, exculpating equally the clerk and contractor from blame. After some conversation, this report was laid on the table.

#### Additional Pensioners.

Mr. *Taylor*, of N. Y. submitted for consideration the following resolution:

*Resolved*, That the secretary for the department of war be instructed to report to this house a list of the persons who have been added to the pension list since the report made to the house of representatives from that department, bearing date, May 28, 1813, designating the number of each pensioner as he stands on the roll of the respective districts or agencies, his rank or quality, and the amount of the annual stipend at present to each person.

Mr. *T.* intimated his reasons for requiring this information. A proposition was now before the house for giving a bounty in land to the disbanded officers: it was fit that the house should know how many of those officers already stand on the pension list of the United States. A proposition was before the house also, to extend for five years the pensions now allowed to sufferers by the late war: Mr. *T.* wished to know how many were those pensioners, and to what amount.

The motion was agreed to.

On motion of Mr. *T. M. Nelson*, of Virginia, it was

*Resolved*, That a committee be appointed to inquire into the expediency of providing by law for extinguishing the Indian title to certain lands south of Green river, in the state of Kentucky, which were set apart by the state of Virginia, for satisfying the claims of certain revolutionary officers to military bounty lands, or of making such other provision, in relation thereto, as justice may recommend.

*Resolved*, That the same committee also inquire into the expediency of providing by law for satisfying the claims of those revolutionary officers who were entitled in virtue of sundry resolutions and acts of the general assembly of Virginia, to military bounty land, to be laid off on the north-west side of the river Ohio, between the rivers Miami and Scioto, (now part of the state of Ohio) which claims remain unprovided for in consequence of the quantity of arable land having proved insufficient therefor.

[This motion produced some debate. In the shape in which it was first offered by the mover, it proposed to declare the measure therein proposed, to be "expedient." To this it was objected that it was expedient to investigate before deciding; and the mover consented to put his motion in the shape of an inquiry into the expediency of the proposed measure, and in that form the motion was finally adopted. Objection was made to it in its new shape by Mr. Pitkin, of Connecticut, and Mr. Poindexter of Missis-

sippi, (and doubts were expressed by Mr. Desha, of Kentucky) on the ground of a defect of power in the house to pass an act for extinguishing Indian titles, which was of itself an executive and not legislative act. To which objections Mr. *T. M. Nelson*, Mr. *Barbour*, Mr. *Garnett* and Mr. *Mercer* of Virginia, replied that inquiry only was proposed, and not the expression of any opinion; that the inquiry would embrace as well the powers of congress as the expediency of the measure, both of which, they contended, were unquestionable.]

On motion of Mr. *Mercer*, of Virginia, it was

*Resolved*, That the secretary of war be directed to report to the house, a list of all the officers who held brevet rank in the army of the United States at the close of the late war, noting their respective lineal rank at the time at which their brevet rank was conferred on them, together with a list of all the officers of the present army who now hold a brevet higher than their lineal rank, and of these the number and grade of all such officers as actually receive, in virtue of their brevet rank, greater pay or emolument than they would be otherwise entitled to by law.

On motion of Mr. *Robertson*, of Kentucky, the committee on the post office and post roads were instructed to inquire into the expediency of establishing a post road from Lexington, Kentucky, by way of Lancaster, to Sommerset, in Kentucky.

#### Commutation of Soldiers' Lands.

The house having again resolved itself into a committee of the whole on the bill for the commutation of soldiers' pay—

The question was taken on agreeing to the amendment of detail (being a substitute for the bill before the committee) proposed by Mr. *Clay*; and decided affirmatively, 96 gentlemen rising in its favor.

The amendment of Mr. *Clay* being then open for amendment, was read over for that purpose.

Mr. *T. M. Nelson* having moved to fill the blank with 160 dollars (or one dollar per acre)—

The question was decided in the negative, by a majority of about 20 votes.

Mr. *Claiborne* of Ten. on the principle that if the bill passed (to which however, he was altogether opposed) the government ought not to speculate on the soldier, by giving him less than its own price for the same article, moved to fill the blank with 320 dollars or two dollars per acre. *Negatived*, ayes 25.

Mr. *Cobb*, of Geo. having moved to fill the blank with 120 dollars, (or 75 cents per acre) it was decided in the negative, ayes 48.

Mr. *Harrison*, of Ohio, moved 130, and Mr. *Little*, of Md. 150; both of which were negatived.

Mr. *Clay* then moved to fill the blank with the sum originally proposed by him, of one hundred dollars, though he confessed he should have preferred one dollar per acre. He was under the impression, however, that the bill had a better chance to pass in this shape than with a higher sum, and it would yet produce much good.

On this question the house divided thus:

For the motion 75

Against it 78

A second count being called, the vote stood thus:

For the motion

84

Against it

67

The amount of commutation was therefore decided to stand at one hundred dollars for one hundred and sixty acres.

The committee proceeded in the consideration of the bill, and made thereto a variety of amendments, on which much desultory debate took place.

The question being stated, "Shall the committee rise and report the bill?"

Mr. *Whitman*, of Mass. assigned the reasons which would induce him to oppose the bill.

On motion of Mr. *Spencer*, of N. Y. the committee rose, reported progress, and obtained leave to sit again.

And the house adjourned at 4 o'clock.

#### EDITOR'S CABINET.

During the session of congress we shall be unable to give those items of intelligence, floating through the papers which we have been accustomed to arrange in a summary in its recess; believing, from the many calls we have had on the subject from our subscribers, that we shall better meet the wishes of our readers by devoting the pages of the Register to the proceedings of the national legislature. We shall, therefore, endeavor to notice, as briefly as possible, such political events only as we deem of some moment, until congress shall adjourn.

From Europe, of late, there is but little matter interesting to American readers. It is stated in London papers of the 18th October, that a treaty has been concluded between France and Portugal, dated August 28th, which cedes French Guyana to the king of France. The cession to be completed in three months or sooner.

In the same papers of the 23d October, it is stated that a Russian fleet from Revel with 10,000 troops on board was expected at Portsmouth, on their way to Cadiz, some doubt was suggested by the Courier of the same date of the probability of troops being on board, but thought it probable the ships would touch at Portsmouth.

By accounts from Spain it would appear as if hostilities were about to be commenced between that country and Portugal, as troops on the frontiers were in motion. The Madrid papers state that serious political discussions occupy the council of state, and suspend the consideration of the report of the junta of public credit, on the arrears of debt, and that a war would derange all the financial calculations which have been made for this year. That the first evils of a war would be a postponement of the expedition destined to reinforce the brave general Morillo.

Of domestic news the most important is from the south. By a letter from Fort Hawkins to the editors of the Georgia Journal under date of the 2d inst. we learn that captain Stallings had just arrived from Fort Scott, with letters from general Gaines, announcing a second skirmish with the Indians. The detachment consisted of three hundred men, under the command of colonel Arbuckle. They were attacked about twelve miles from Fort Scott, by a party of Fowl-Town and Osouchee Indians, supposed to be about one hundred, and had one man killed, and two wounded, one dangerously. The Indian loss was supposed

to be eight or ten—They captured some cattle during the fight, which were retaken in the towns lying about eight miles from Fort Scott. The detachment then retreated four miles and threw up breast works. The effective force at Fort Scott is about eight hundred to one thousand men. No doubt is now entertained of the hostile intentions of the Indians. Captain Stallings thinks it is 220 miles at least from here to Fort Scott.—All this through a pine barren, and mostly new roads, or perhaps none at all.

*Amelia Island*—In conformity with orders from the executive for taking possession of Amelia Island, colonel Bankhead with United States troops arrived at Point Petre, in the fore part of the present month. Aury appeared to understand the object of the concentration of troops at that fort, and it is said put himself in a state of readiness to evacuate the island with his band of heroes.

It was also stated that Woodbine had arrived at Pensacola, from New Providence with an expedition fitted out at that place and that his force consisted of Indians, &c; and that MacGregor was with him.

The Savannah Republican says "the United States' brig Saranac took possession of a prize on Thursday last, going into Amelia. Florida will be taken possession of by the United States' troops as soon as the frigate John Adams, brigs Prometheus and Enterprize, and schooner Lynx arrive: which were expected daily. There was a rumor at Amelia that a British expedition was fitting out in the British West India Islands, for the purpose of taking possession of the Floridas. At Amelia the most shameful outrages have been committed by Aury's troops—several murders were perpetrated by them with impunity—neither life nor property was safe if within the reach of these freebooters and brigands.

We hear, says the same paper of the 10th inst. that the prize goods bonded in St. Mary's were seized by the deputy marshal on Monday last as Spanish property, amounting to upwards of \$ 100,000. The marshal in the execution of his duty met with considerable opposition; but the United States officers on that station assisted him in the seizure and secured the property. The prize vessel, which the Saranac detained, was from the coast of Africa with slaves, captured by she Morgiana, and ordered into Amelia. We also learn that three of the Patriots who had been taken and carried into St. Augustine, were hanged on the 1st instant, by the order of the governor of that place.

A Charleston paper of the 12th instant adds—Mr. Morris Goldsmith, of this city, has by special appointment of John Eppinger United States' marshal for the state of Georgia, seized, at St. Mary's prize property to the amount of 150,000 dollars.

The schooner Piloteau, captain Thomas Calmella, 118 slaves, from Africa, which was captured by the patriot brig Republica, com. Lear, on the 20th Nov. and ordered for Amelia Island, was recaptured by the United States' brig Saranac, on the 31st ult.

*Gen. Mina*—Many of our Journals doubt the correctness of the news, published in our last of the capture of general Mina—they found their doubts upon information derived from various sources.